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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
Arthur W. Chester et al.

Date: June 7, 2004

Group Art Unit: 1764

Serial No. 09/468,450

Examiner: Griffin, W.

Filed: December 21, 1999

Docket No.: 10208-1

For:

"A Catalytic Cracking Process Using A
Modified Mesoporous Aluminophosphate
Material"

(1) REQUEST TO RECONSIDER NOTICE OF DRAWING INCONSISTENCY
AND
(2) PROVISIONAL AMENDMENT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

This is in reply to the Form PTO-1631 "Notice of Drawing Inconsistency With Specification" mailed on May 10, 2004 (hereafter referred to as "Notice"). Applicants' respectfully request reconsideration of the basis on which the Notice is made.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

Pursuant to 37 CFR §1.8, I hereby certify that I have a reasonable basis to expect that this correspondence will be deposited with the United States Postal Service on or before the date indicated, as First Class mail, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

June 7, 2004
Date

Debra P. Parney
Signature

(1) RECONSIDERATION OF PTO FORM-1631

Specifically, it is stated in the Notice that Fig. 1 is not listed in the "Brief Description of the Drawings" in the specification. It is respectfully submitted that the Notice is in error because the patent application does not contain a "Brief Description of the Drawings". Therefore, it is respectfully submitted that there cannot be an inconsistency.

Indeed, page 18, line 13, of the allowed Specification describes Fig. 1, and it is respectfully submitted that Fig. 1 is consistent with respect to that description.

Withdrawal of the Notice is therefore requested.

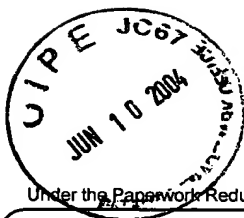
(2) PROVISIONAL AMENDMENT

To the extent the Patent Office is requiring amendment of the above-mentioned patent application to include a "Brief Description of the Drawing", Applicants respectfully request the application be amended as indicated on the following page 3.

Please add the following new paragraph after page 2, line 33 of the specification:

BRIEF DESCRIPTION OF DRAWING

Fig. 1 illustrates average pore size and pore size distribution for compositions according to the invention (Examples A, B and C of Example 8) in comparison to alternative compositions (Examples D and E of Example 8).



PTO/SB/21 (05-03)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/468,450	
	Filing Date	December 21, 1999	
	First Named Inventor	Arthur W. Chester	
	Group Art Unit	1764	
	Examiner Name	Griffin, W.	
Total Number of Pages in This Submission	4	Attorney Docket Number	10208-1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request to Reconsider PTO Form 1631 (Drawing Inconsistency Notice) and Provisional Amendment; and Return Receipt Postal Card for W9484-01/10208-1.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Charles A. Gross
Signature	
Date	June 7, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Debra P. Darcey	Date	June 7, 2004